

REMARKS

Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Drawing Objection

The drawings are objected to because of the informalities noted by the Examiner.

In response, a Request for Approval to Amend the Drawings is being filed concurrently herewith in which the lead line extending from reference numeral “7” has been deleted; an arrowhead has been added to the lead line associated with reference numeral “9”; reference numeral “12” and its lead line is included; and reference numeral “1s” has been changed to --13--. No new matter has been added. It is respectfully submitted that the objection to the drawings has been overcome.

Title Objection

The title has been objected to as not being descriptive.

In response, a new title, which is even more clearly indicative of the claimed invention, is presented herein for the Examiner’s consideration and approval.

Specification Objection

The specification is objected to because of the minor informalities noted by the Examiner.

In response, the specification has been amended to attend to all identified informalities, including those kindly identified by the Examiner. (In a few instances, wording and punctuation different from that suggested by the Examiner is used.) It is respectfully submitted that no new matter has been added.

Claim Status

Claims 1, 5, 6, 9 through 17, 21, 22, and 25 through 36 are now pending in the application. Claims 2 through 4, 7, 8, 18 through 20, 23, and 24 have been canceled. Claims 1, 5, 6, 9 through 17, 21, 22, and 25 through 32 have been amended to even more succinctly define the invention and/or to improve their form. Claims 33 through 36 have been presented to accord Applicant an additional scope of protection commensurate with the disclosure. It is respectfully submitted that no new matter has been added. Claims 1, 10, 17, 26, and 33 through 36 are the only independent claims pending in the application.

Claim Objections

Claims 1, 7, 10, 15, 17, 23, 26, and 31 are objected to because of the minor informalities noted by the Examiner.

In response, the claims have been amended *inter alia* to overcome the grounds of the objection. In so doing, the suggestions kindly offered by the Examiner have been adopted. It is respectfully submitted that the grounds of the rejection have been overcome.

Allowable Claims

It is acknowledged with appreciation that Claims 26 through 32 are indicated as being allowable over the prior art for the reasons set forth in the Official Action.

It is also acknowledged with appreciation that Claims 5, 6, 8, and 9 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph and to include all the features of the base claim and any intervening claims. In response, Claim 8 has been canceled and Claims 5, 6, and 9 have been amended *inter alia* to overcome the grounds of this rejection. It is respectfully submitted that the claims are in full compliance with Section 112, and that the rejection has been overcome.

Further, Claims 10 through 16 are indicated as being allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, second paragraph.

Finally, it is also acknowledged with appreciation that Claims 21, 22, 24, and 25 are merely objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the features of the base claims and any intervening claims. These claims remain in their dependent form, inasmuch as it is believed that Claims 1, 10, 17, and 26 from which they depend, respectively, will be found to be allowable.

Section 112 Rejection

Claims 1 through 16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons set forth in the Official Action.

In response, Claims 2 through 4, 7, and 8 have been canceled and Claims 1, 5, 6, and 9 through 16 have been amended *inter alia* to overcome the grounds of the rejection.

It is respectfully submitted that the claims, on file, are in full compliance with Section 112, and that the rejection has been overcome.

Section 102 Rejection

Claims 1 through 4, 7, 17 through 20 and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,982,240 A (Nakano). The rationale underlying the foregoing rejection is succinctly set forth in the Official Action.

Response to the Rejection

Without conceding the propriety of the rejection and solely to expedite the prosecution of the application, independent Claims 1 and 17 have been amended to incorporate allowable subject matter recited in Claims 5 and 21, respectively. (It is noted

that Claims 5 and 21 did not directly depend from their respective parent claims.

Nevertheless, it is believed that the features recited in these dependent claims, which are now incorporated in their respective parent claims, make the parent claims allowable.)

Amended Claims 1 and 17 also are allowable.

Newly-Presented Claims

The invention recited in newly-presented independent Claim 33 is characterized by a supporting member for supporting a toner breaking means, wherein the supporting member inhibits a cleaning member.

The invention recited in newly-presented independent Claims 34 through 36 is characterized in that the folded portion is formed by being folded in a condition that a longitudinal direction is angled with respect to a surface of the folded portion.

It is respectfully submitted that Claims 33 through 36 are allowable over the cited art.

For example, Nakano discloses a vibrating member 6 vibrating, which interferes with rotating screw 7. The vibrating member 6 is made of a film material with slits 6x and is attached to the housing 2. Nakano fails to disclose or suggest a supporting member for supporting a toner breaking means, wherein the supporting member inhibits a cleaning member. Furthermore, in Nakano, the vibrating member 6 is arranged in parallel with the toner conveying screw 7 and is not angled with respect to a surface of the toner conveying screw in a longitudinal direction. Accordingly, Nakano also fails to disclose or suggest that a folded portion of a toner breaking portion is formed by being folded in a condition that a longitudinal direction is angled with respect to a surface of a folded portion.

Dependent Claims


Claims 5, 6, 9, 11 through 16, 21, 22, 25, and 27 through 32 depend either directly or indirectly from any one of Claims 1, 10, 17, and 26 and are allowable by virtue of their dependency and in their own right for further defining Applicant's invention. Individual consideration of the dependent claims is respectfully requested.

Closing Comments

It is respectfully submitted that the claims on file are allowable over the art of record and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,



Attorney for Applicant
William M. Wannisky
Registration No. 28,373

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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